



DEPARTMENT OF THE NAVY
U.S. NAVAL SUPPORT ACTIVITY, NAPLES, ITALY
PSC 817 BOX 1
FPO AE 09622-0001

5720
N01J
31 Jul 23

Mr. Ali Razi
209 Aston Grande Dr
Daytona Beach, FL 32124

Dear Mr. Razi:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST

I am the official responsible for processing your Freedom of Information Act (FOIA) requests of June 21, 2023 and assigned to Naval Support Activity Naples, Staff Judge Advocate Office on June 22, 2023. This responds to the request you submitted on or around that date that was assigned tracking number DON-NAVY-2023-012463:

- Advertisement number ST-11747258-23-AMW, Control number 693077500,
1. All emails between Fire Chief and Human Resources regarding posting, scoring, advertisement, and justification for position.
 2. All score sheets involved in hiring process.
 3. Emails from Selection Advisory Board for positions.
 4. Notes taken during interviews maintained by Human Resources Department.

Please be advised that, pursuant to procedures established in Secretary of the Navy Instruction (SECNAVINST) 5720.42F, our search for responsive records encompassed all records in existence as of the date you submitted your request. Please also note, in accordance with Navy policy, all fees are waived.

Your request is denied in entirety because the following FOIA exemptions apply to all of the documents that we found as follows: "GS-0081 Fire Protection Inspector Interview schedule 09Jan2023 19 pages exemption (b)(2); "Emails generated by the Navy Fire Department 9 pages exemption (b)(6). Exemption b(2) protects from disclosure records that "relate solely to the internal personnel rules and practices of an agency;" exemption (b)(6) exempts the disclosure of information which would constitute a clearly unwarranted invasion of personal privacy.

We are forwarding for action your request to Commander Navy Region Europe, Africa Central, Human Resources Office Headquarters (HRO) FOIA, as a matter under their cognizance and direct response to you.

My review included consideration of the "foreseeable harm standard," which provides that a federal agency may withhold responsive records only if it reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates or if disclosure is prohibited by law. I carefully considered the foreseeable harm of releasing the protected information against the public interest in disclosure, and find release unwarranted. Specifically, I found the names, identifying information, and other personal information of individuals would subject these personnel to a wholly unwarranted invasion of privacy. Their names and contact information provide no further public interest sufficient to outweigh their

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expectation of privacy. Finally, I considered the foreseeable harm in releasing any records pertaining to the job hiring process. Release of such information would provide insight into the interview techniques such as frequent questions and classification rules which would provide an unfair advantage in the hiring process if revealed. As such, this particular type of information will not be released.

Should you disagree with this response, you have the right to appeal. The appeal must be received (*i.e.*, post-marked if by mail, "sent" if by email, submitted if by FOIAonline) within 90 calendar days from the date of this response. There are two ways to file an appeal: through FOIAonline or by mail.

a. FOIAonline. To file online, you must set up an account on FOIAonline before submitting the request for an appeal. To set up an account, visit FOIAonline (this website will appear as the top hit if you search the internet for "FOIAonline"), click "Create Account," enter your data into the field that appears, and click "Save" at the bottom left of the page. With your account created, you may then file an appeal on FOIAonline to any request you file on FOIAonline thereafter. To file, locate your request (enter a key word or the request tracking number in the "Search for" field on the "Search" tab), click on it, then "Create Appeal" tab in the left-hand column. Complete the subsequent field, click "Save," and FOIAonline will submit your appeal.

b. By mail. Address your appeal to:

The Judge Advocate General (Code 14)
1322 Patterson Avenue SE, Suite 3000
Washington Navy Yard, DC 20374-5066

Should you appeal by mail, be sure to mark the envelope "FOIA appeal" and include in the envelope, the following:

a. Letter requesting an appeal that explains what you are appealing with supporting arguments or justifications you deem worthy of consideration;

b. Copy of your initial request; and

c. Copy of the denial letter.

Additionally, please provide me a copy of your appeal letter at U.S. Naval Support Activity, Office of the Staff Judge Advocate, PSC 817 BOX 1, FPO AE 09622-0001.

Alternatively, you may mail the appeal to the Department of the Navy (DON) General Counsel (GC) if appropriate (the Office of the GC generally handles issues outside those relating to the uniformed service). That address is as follows: Department of the Navy, Office of the General Counsel, 1000 Navy Pentagon, Room 5A532, Washington, DC 20350-1000.

Should you have questions about this process, please contact me at 011-39-081-568-4578 or DSN 314-626-4578 or e-mail: nsanaplesjag@us.navy.mil. You may also contact the DON FOIA Public Liaison, Christopher Julka, at: christopher.a.julka@navy.mil, via phone: (703) 697-0031, or the Office of Government Information Services (OGIS) which offers a voluntary mediation

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process for resolving disputes between persons making FOIA requests and the DON. For more information, go to <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,

A handwritten signature in black ink, appearing to read "A. O. Lantos-Swett", written in a cursive style.

A O. LANTOS-SWETT
Lieutenant, U.S. Navy
Staff Judge Advocate
By direction of the
Commanding Officer